

SEVENTY-FIRST DAY.

Senate Chamber,
Austin, Texas, Thursday, April 20, 1899.

Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	McGee.
Burns.	Miller.
Davidson.	Morriss.
Dibrell.	Odell.
Goss.	Potter.
Gough.	Ross.
Greer.	Stafford.
Grinnan.	Stone.
Hanger.	Terrell.
James.	Turney.
Kerr.	Wayland.
Lewis.	Yantis.
Linn.	Yett.
Lloyd.	

Absent.

Johnson.	Patterson.
Neal.	

Absent—Excused.

Sebastian.

Prayer by the Chaplain, Rev. Dr. Denison.

Pending the reading of the Journal of yesterday,

On motion of Senator McGee, the same was dispensed with.

PETITIONS AND MEMORIALS.

Senator Stafford sent up the following letters:

Winsboro, Texas, April 18, 1899.

To Senator Stafford, Austin, Texas.

SIR: A great deal of interest is being manifested here in the anti-trust bill now pending before the Legislature, and no doubt you are deluged with letters and telegrams opposing this measure. I was called upon yesterday to sign a petition to our Representatives asking them to vote against this measure, but inasmuch as I had not given this bill much thought I refused to sign the petition until I could investigate the matter more thoroughly. After reading the bill carefully I fail to see anything that would, in my humble opinion, hurt the business people of this State in the least, should it become a law. It is true, it might break up the arbitrary and almost prohibitory rates now made by the State rating agent, whose rates the companies dare not deviate from under penalty of a heavy fine; and it is true the insurance companies might not realize such hand-

some profits (all this talk about furnishing insurance at actual cost is the veriest bosh), but the people who have these exorbitant rates to pay might be benefited should this bill become a law. I would not for a moment undertake to force my views upon you, and I do not know how you regard this measure, but knowing full well that you have always been a friend to the people, I can but expect that you will give this measure your able and earnest support.

I do not think it will be possible for me to visit Austin during this session of the Legislature, as my business keeps me very close at home. I am sorry I have not been able to accept your kind invitation, but such is the case. With my very best wishes and high regards, I beg to remain,

Your friend,
R. G. ANDREWS.

Tyler, Texas, April 20, 1899.

To Senator Stafford, Austin, Texas.

SIR: We desire to say to you that we favor the Arkansas anti-trust law, insurance feature and all. Stand by the people and against the trusts. Please show this letter to Marsh and Dorroh.

Yours truly,

GUS F. TAYLOR,
C. L. CASPARY,
J. C. EDWARDS,
C. W. BOON,
W. H. CALDWELL.

By Senator Gough:

Letter from O. C. Mulkey of Commerce, Texas, stating the telegram signed by him, protesting against the passage of the anti-trust bill was a forgery, and that he favors said measure.

Senator Gough also had read a letter to the same effect from W. B. Hamilton of Commerce.

By Senator James:

Letter from Aaron Smith of Mount Pleasant, favoring the anti-trust bill.

Senator Yantis had read the following letter:

Waco, Texas, April 19, 1899.

To Senator J. E. Yantis, Austin, Texas.

SIR: I glory in the stand you have taken. If every insurance company leaves the State let them go, but deliver us from trusts. I am one who insures and have carried insurance for twenty years, but if they are doing an unlawful business, drive them out.

I wish you all success.

M. L. MIHALSKI.

N. B.—My name to some sounds like I might be a Jew, but never. I never have burnt out.

Senator Terrell had read the following letter:

Decatur, Texas, April 19, 1899.

To Senator Terrell, Austin, Texas.

SIR: It is the outspoken declaration of the democratic party that trusts must not obtain in this country. I have talked with many of the *real* people of this place, and we all hope that Texas, through her legislators, will, without fear or favor, pass the anti-trust bill. I hope you and our other Representatives will vote for the bill, believing it will redound to the best interest of your people and to the people of the State.

Yours very truly,

C. C. JONES.

Senator Davidson sent up the following letters:

Plano, Texas, April 18, 1899.

To Senator Davidson, Austin, Texas.

SIR: The anti-trust bill has caused much "flutter" with agents of trusts and some business men—doing business on fictitious capital. Stand by your "gun." Make proposed bill a law; save to Texas \$14,000,000 per year in fire insurance alone paid to foreigners. Texas can, through her business men, give all needed protection against fire loss, and thereby avoid much incendiaryism.

We are with you, and know "big" money will be in "lobby." See Senator Gough.

Your friend,

H. M. BEATY, M. D.

Victoria, Texas, April, 18, 1899.

To Senator Davidson, Austin, Texas.

SIR: The insurance agent that got me to sign the dispatch, told me all they wanted time to answer and prove the charges to be not true that are being brought against the companies, and on this declaration I signed. I think if we can get insurance companies to organize in this State, and people will insure in home companies, it would be a great benefit to the people of the State, and the millions of money we send to New York and other places, would remain at home; go ahead as you have been doing, and the good people will back you, excepting those that are interested in insurance companies.

I am, as ever, wishing your success,

C. A. LEUSCHNER.

Hutto, Texas, April 19, 1899.

To Senator Davidson, Austin, Texas.

SIR: I beg to assure you that the people of this community are almost a unit in favor of "anti-trust" legislation, and they are watching with no little in-

terest the action of the Legislature on the bill now before that body. With our present understanding of the matter we are in favor of this bill, and our people have refused to comply with requests made for them to "wire" and write their Senator and Representative, asking opposition or changes in the bill.

There is no question, but that if the insurance people "cancel" policies or withdraw from the State, as it seems is being threatened, it would result in temporary hardship and some demoralization in business, but we feel that there is a principle involved that we can not afford to surrender. We see the action taken in some of the cities is in line with requests of the insurance companies, but this does not shake our confidence in the belief that a large majority of the people of the State are in favor of such a law.

We will call meetings, and have organized action in the matter if desired.

Yours very truly, etc.,

A. W. CARPENTER.

Have written Mr. Sansom and Mr. Yett.

Cuero, Texas, April 18, 1899.

To Senator Davidson, Austin, Texas.

SIR: The anti-trust law has kicked up a mess here, and they have gotten up a petition, petitioning for I don't know what; I declined to sign anything that would hamper you or Bailey.

I think that if you could, without destroying the usefulness of the law, make the oath as to insurance companies to read, that they were not members of any trust, etc., in Texas or elsewhere, formed for the purpose of making or regulating rates in Texas, it would be a good thing. I don't know that this is possible, it is merely a suggestion, but it would knock out any reasonable complaint the companies might have to make. If this can't be done, I am in favor of fighting it out; it will hurt me as much as anyone in your district.

It will help us in 1900 to have all the democratic States pass stringent anti-trust laws, as it will show the people of the country we are in earnest in our opposition to trusts, and the trust question is going to cut quite a figure in the next fight.

We have had fine rains here, the finest in years, and everything looks promising.

Your friend,

LEE JOSEPH.

Waco, Texas, April 18, 1899.

To Senator Davidson, Austin, Texas.

SIR: I notice through the press that you have introduced one much needed anti-trust bill. Knowing that you will

be assailed by the insurance and trust agents, I must for one write you in approval of your action. This law is said to have originated in Arkansas (what if it did, it is a good one). The way it is now, I am compelled to insure; if I did not insure, I would be burned out. Let the trust insurance go, we will have plenty of our own insurance companies, who will abide by our State laws and whom we can control. This law would pull the Eastern sharks off our backs. Wish you live forever.

Your well wisher,
M. L. MIHALSKI.

Cuero, Texas, April 18, 1899.

To Senator Davidson, Austin, Texas.

SIR: Your anti-trust bill meets with our hearty approval, and we hope you will be successful in enacting it into law. Some of our merchants are apprehensive lest they be deprived of protection on their stock of merchandise, machinery, gins, etc. We entertain the idea that the insurance people are as dependent upon their premiums for sustenance, as we are upon them for indemnity in case of fire, however, even a temporary paralysis of insurance would affect a good many and some perhaps injuriously for the time being, and we should regret to be deprived of insurance even temporarily, but at the same time, if it is necessary to secure the passage of the bill, to allow this feature to remain without modification, do not hesitate, but rest assured that the great body of the public are with you.

Kindly inform us what effect your bill will have on the round bale trusts, and if Cole's bill will pass. We are,

Very truly, your friends,
BREEDEN BROS.

Gonzales, Texas, April 18, 1899.

To Senator Davidson, Austin, Texas.

SIR: If there ever was a trust that needed to be throttled, it is the fire insurance dictation of this State. Competition is absolutely shut out, and one man rates every building in the State at his will, regardless of what is just and right. I speak from what I know. You may hear of protests, and the great calamities that will befall our State, if this anti-trust bill becomes a law. This will come from the smart "alecks" who make easy money in this insurance business, and from those under their influence, but not from the great body of people who are paying exorbitant rates and are powerless. The people will stand by this bill: let every insurance company leave if they want to. Good companies will seek and write all the insurance neces-

sary. I hope the bill will become a law, and that it will be executed.

Very truly,
J. P. RANDLE.

By Senator James:

Petition from citizens of Titus county, praying that fire insurance companies be exempted from the provisions of the anti-trust law.

By Senator Atlee:

Petition from citizens of Laredo, asking that fire insurance companies be exempted from the provisions of the anti-trust bill.

By Senator Hanger:

Petition of sixteen citizens of Hood county, protesting against the passage of the anti-trust bill with fire insurance companies included.

By Senator Hanger:

Petition of fifty citizens of Tarrant county, protesting against the passage of the anti-trust law with fire insurance companies included.

By Senator Sebastian:

Petition from citizens of Taylor county, protesting against anti-trust law.

By Senator Greer:

Petition from citizens of Orange, protesting against anti-trust bill.

By Senator Ross:

Petition from citizens of Bonham, asking that fire insurance companies be exempt from the operation of the anti-trust bill.

By Senator Sebastian:

Petition from property owners of Midland county, protesting against anti-trust law.

By Senator Odell:

Petition from citizens of Johnson county, asking that fire insurance companies be exempted from the operation of the anti-trust law.

By Senator Dibrell:

Petition from citizens of Hays county, asking for the passage of the proposed anti-trust law.

By Senator Linn:

Six petitions from citizens of Galveston protesting against the passage of the proposed anti-trust law.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, April 19, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 287, being a bill to be entitled "An Act to amend Chapter 13,

Title LXXXVI, of the Revised Civil Statutes of Texas, by adding thereto Article 3978a, relating to teachers' certificates,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not* pass.

GOSS, Chairman.

Committee Room,
Austin, Texas, April 19, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Educational Affairs, to whom was referred

House bill No. 720, being a bill to be entitled "An Act to amend Article 4002, Chapter 15, Title LXXXVI, of the Revised Civil Statutes, 1895, with reference to the collection of taxes in independent school districts incorporated for free school purposes only,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

GOSS, Chairman.

Committee Room,
Austin, Texas, April 19, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Educational Affairs, to whom was referred

House bill No. 323, being a bill to be entitled "An Act to create and establish an industrial institute and college in the State of Texas for the education of white girls in the arts and sciences,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

GOSS, Chairman.

Committee Room,
Austin, Texas, April 20, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

House bill No. 334, being a bill to be entitled "An Act to authorize admission to record and evidence in the courts of this State of duly certified copies of all deeds and other instruments of conveyance of land which have been duly registered or recorded in other States, or in the Republic of Mexico, but which the laws of such States, or of the Republic of Mexico, require to be retained in the deed or notarial archives of such States, or of said Republic of Mexico, and to give such instruments like effect as notice and

proof as is given deeds executed in this State, and to declare an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

ATLEE, Chairman.

Committee Room,
Austin, Texas, April 20, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

House bill No. 624, being a bill to be entitled "An Act to amend Chapter 54, of the Acts of the Twenty-fifth Legislature, the same being an act entitled 'An Act to amend Article 2601, Chapter 6, Title LVII, of the Revised Civil Statutes of Texas, relating to bonds of guardians and sureties thereon,' so as to authorize the giving of such bonds by companies organized in other States, and authorized to do business in this State, and to validate bonds of guardians heretofore given in this State by companies organized under the laws of other States,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

ATLEE, Chairman.

Committee Room,
Austin, Texas, April 19, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 228, being a bill to be entitled "An Act ratifying and confirming an ordinance passed by the city council of the city of Galveston on the fourth day of February, 1899, entitled 'An Ordinance abandoning, discontinuing and closing certain streets, avenues and alleys of the city of Galveston, and authorizing and empowering Collis P. Huntington, his heirs or assigns, perpetually to construct and maintain piers on the shore of Galveston Bay within the corporate limits of the city of Galveston, upon certain specified conditions, and conditionally relinquishing any claim the State of Texas may have to part of the property therein described,'"

And find the same correctly enrolled, and have this day, at 4:30 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,
Austin, Texas, April 20, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate Substitute bill No. 298, being a bill to be entitled "An Act providing for the correction and division of unpatented alternate surveys between the individual owner and State school land in conflict with older valid surveys, and to protect the purchasers of school land in conflict therewith, and for patenting the same,"

And find the same correctly engrossed.
JAMES, Chairman.

Committee Room,
Austin, Texas, April 20, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 319, being a bill to be entitled "An Act to incorporate the city of Beaumont, to grant it a special charter, and to fix its boundaries,"

And find the same correctly engrossed.
JAMES, Chairman.

Committee Room,
Austin, Texas, April 20, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Public Health, to whom was referred

Senate bill No. 326, being a bill to be entitled "An Act to amend Chapter 92, of the Revised Civil Statutes of the State of Texas, and to repeal Articles 4331, 4332, 4334, 4335 and 4336 thereof,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

YETT, Chairman.

BILLS AND RESOLUTIONS.

By Senator Lloyd (by request):

Senate bill No. 330, A bill to be entitled "An Act to grant leave to G. W. Burkitt of Anderson county, Texas, to bring suit against the State to redeem from forfeiture and resale Section 58, Block 'H,' W. & N. W. R. R. Co., survey of land, Abstract No. 852, in Hardeman county, Texas."

Read first time, and referred to the Committee on Public Claims and Accounts.

By Senators Dibrell and Lewis:

Senate bill No. 331, A bill to be entitled "An Act defining a further cause of continuance in civil and criminal cases, and to declare an emergency."

Read first time, and referred to Judiciary Committee No. 1.

Call concluded.

HOUSE MESSAGE.

The following message from the House was received:

Hall of the House of Representatives,
Austin, Texas, April 20, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bills:

Senate bill No. 32, A bill to be entitled "An Act to amend Article 128, Title IX, Chapter 1, of the Revised Civil Statutes of the State of Texas, relating to the apprehension of lunatics."

Also Senate bill No. 254, A bill to be entitled "An Act to amend Article 4218p, of Chapter 12a, of Title LXXXVII, of the Revised Civil Statutes of Texas of 1895, relating to the sale of timber lands," with amendments.

Also Senate bill No. 215, A bill to be entitled "An Act defining the offense of defrauding hotel and boarding house keepers of their charges, and providing penalty therefor."

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

PENDING BUSINESS.

The Chair laid before the Senate, on second reading,

House bill No. 402, A bill to be entitled "An Act granting to the city of Austin a block of land within said city for public free school purposes."

The bill was read the second time, and passed to a third reading by the following vote:

Yeas—19.

Atlee.	Morriss.
Burns.	Ross.
Dibrell.	Sebastian.
Goss.	Stone.
Greer.	Terrell.
James.	Turney.
Kerr.	Wayland.
Lloyd.	Yantis.
McGee.	Yett.
Miller.	

Nays—9.

Davidson.	Grinnan.
Gough.	Hanger.

Lewis. Patterson.
Linn. Stafford.
Odell.

Absent.

Johnson. Potter.
Neal.

Senator Goss moved that the constitutional rule requiring bills to be read on three several days be suspended, and the bill placed upon its third reading and final passage.

Lost by the following vote:

Yeas—21.

Atlee.	Morriss.
Burns.	Potter.
Dibrell.	Ross.
Goss.	Sebastian.
Greer.	Stone.
Grinnan.	Terrell.
James.	Turney.
Kerr.	Wayland.
Lloyd.	Yantis.
McGee.	Yett.
Miller.	

Nays—8.

Davidson.	Linn.
Gough.	Odell.
Hanger.	Patterson.
Lewis.	Stafford.

Absent.

Johnson. Neal.

Senator Miller called up House bill No. 342 (Dallas city charter), action being on final passage.

By Senator Odell:

"Amend Section 201, page 76, line 6, by inserting 'one commissioner' where 'two commissioners' appear, and add as follows, 'and the judge of the Criminal District Court of Dallas county shall appoint one commissioner.'"

Lost by the following vote:

Yeas—9.

Atlee.	Odell.
Davidson.	Ross.
Kerr.	Stafford.
Linn.	Turney.
Lloyd.	

Nays—19.

Burns.	Miller.
Dibrell.	Morriss.
Goss.	Potter.
Gough.	Sebastian.
Greer.	Stone.
Grinnan.	Terrell.
Hanger.	Wayland.
James.	Yantis.
Lewis.	Yett.
McGee.	

Absent.

Johnson. Patterson.
Neal.

By Senator Stafford:

"Amend by striking out all embraced between the word 'Texas,' in line 7, page 60, down to and including the word 'act,' in line 20."

Lost by the following vote:

Yeas—11.

Atlee.	Odell.
Davidson.	Patterson.
Kerr.	Ross.
Lewis.	Stafford.
Linn.	Turney.
Lloyd.	

Nays—17.

Burns.	Miller.
Dibrell.	Morriss.
Goss.	Sebastian.
Gough.	Stone.
Greer.	Terrell.
Grinnan.	Wayland.
Hanger.	Yantis.
James.	Yett.
McGee.	

Absent.

Johnson. Potter.
Neal.

By Senator Linn:

"Amend by striking out Section 199 of the bill."

Lost by the following vote:

Yeas—10.

Atlee.	Odell.
Davidson.	Patterson.
Kerr.	Ross.
Linn.	Stafford.
Lloyd.	Turney.

Nays—13.

Dibrell.	Morriss.
Gough.	Sebastian.
Greer.	Stone.
Grinnan.	Wayland.
James.	Yantis.
McGee.	Yett.
Miller.	

Present—Not voting.

Hanger.

Absent.

Burns.	Neal.
Goss.	Potter.
Johnson.	Terrell.
Lewis.	

By Senator Atlee:

"Amend by striking out Section 106 of the bill."

(Senator Gough in the chair.)

Lost by the following vote:

Yeas—12.

Atlee.	Lewis.
Davidson.	Linn.
Kerr.	Lloyd.

Odell.
Patterson.
Ross.

Stafford.
Stone.
Turney.

Nays—17.

Burns.
Dibrell.
Goss.
Gough.
Greer.
Grinnan.
Hanger.
James.
McGee.

Miller.
Morriss.
Potter.
Sebastian.
Terrell.
Wayland.
Yantis.
Yett.

Absent.

Johnson. Neal.

By Senator Patterson:

"Amend by striking out all after the word 'therein,' in line 13, on page 77, down to and including the figures '\$1000,' in line 15 of said page 77."

Lost by the following vote:

Yeas—11.

Atlee.
Davidson.
Kerr.
Lewis.
Linn.
Lloyd.

Odell.
Patterson.
Ross.
Stafford.
Turney.

Nays—18.

Burns.
Dibrell.
Goss.
Gough.
Greer.
Grinnan.
Hanger.
James.
McGee.

Miller.
Morriss.
Potter.
Sebastian.
Stone.
Terrell.
Wayland.
Yantis.
Yett.

Absent.

Johnson. Neal.

By Senator Davidson:

"Amend Section 201, page 76, line 4, by striking out 'Governor' and insert in place of same the 'district judges of Dallas county.'"

Lost by the following vote:

Yeas—11.

Atlee.
Davidson.
Kerr.
Lewis.
Linn.
Lloyd.

Odell.
Patterson.
Ross.
Stafford.
Turney.

Nays—17.

Burns.
Dibrell.
Gough.
Greer.
Grinnan.
Hanger.

James.
McGee.
Miller.
Morriss.
Potter.
Sebastian.

Stone.
Terrell.
Wayland.

Yantis.
Yett.

Absent.

Johnson. Neal.

By Senator Atlee:

"Strike out Section 209 of the bill."
(Lieutenant-Governor Browning in the chair.)

Pending consideration of House bill No. 342 (Dallas charter bill),

BILL SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

Substitute House bill Nos. 275 and 313, "An Act to amend Articles 3892, 3893 and 3894, Chapter 6, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, relating to the duties and extending the powers of the Board of Education in the investment of the permanent free school fund, and adding thereto Article 3891a and Article 3894a, giving the State Board of Education an option of ten days on county bonds and on the bonds of incorporated cities, and providing that when a premium is paid for bonds the Board of Education shall refund the same."

PENDING BUSINESS.

The Senate resumed consideration of House bill No. 342, action being on the amendment of Senator Atlee.

Senator Miller made the point of order that the argument was not germane.

Not sustained.

Senator Lewis moved to adjourn until 3 o'clock p. m.

Lost by the following vote:

Yeas—12.

Atlee.
Davidson.
Kerr.
Lewis.
Linn.
Lloyd.

Odell.
Patterson.
Ross.
Sebastian.
Stafford.
Turney.

Nays—14.

Dibrell.
Gough.
Greer.
Grinnan.
Hanger.
James.
McGee.

Miller.
Morriss.
Potter.
Stone.
Wayland.
Yantis.
Yett.

Absent.

Johnson. Terrell.
Neal.

After discussion, Senator Yantis moved the previous question on the bill and amendment, which was duly seconded.

Upon that motion, Senator Stafford moved a call of the Senate, which was also duly seconded, the following Senators answering to their names:

Atlee.	McGee.
Burns.	Miller.
Davidson.	Morriss.
Dibrell.	Odell.
Goss.	Patterson.
Gough.	Potter.
Greer.	Ross.
Grinnan.	Sebastian.
Hanger.	Stafford.
James.	Stone.
Kerr.	Turney.
Lewis.	Wayland.
Linn.	Yantis.
Lloyd.	Yett.

Absent.

Johnson.	Terrell.
Neal.	

Senator Yantis moved to excuse the absentees on the pending bill and amendment.

Senate refused to excuse the absentees by the following vote (it requiring two-thirds vote to excuse absentees):

Yeas—17.

Burns.	Miller.
Dibrell.	Morriss.
Goss.	Potter.
Gough.	Sebastian.
Greer.	Stone.
Grinnan.	Wayland.
Hanger.	Yantis.
James.	Yett.
McGee.	

Nays—11.

Atlee.	Odell.
Davidson.	Patterson.
Kerr.	Ross.
Lewis.	Stafford.
Linn.	Turney.
Lloyd.	

Absent.

Johnson.	Terrell.
Neal.	

HOUSE BILLS ON THIRD READING.

House bill No. 342, going to the table, the Chair laid before Senate, on third reading.

House bill No. 107, A bill to be entitled "An Act to amend Article 3909a, Title VII, of the Revised Civil Statutes of the State of Texas, 1895, relating to the courses of study taught in the public schools of Texas, so as to hereafter read as follows."

The bill was read a third time, and pending final passage, Senator Greer moved a call of the Senate, and the call duly seconded, the following Senators answering to their names:

Atlee.	McGee.
Burns.	Miller.
Davidson.	Morriss.
Dibrell.	Odell.
Goss.	Patterson.
Gough.	Potter.
Greer.	Ross.
Grinnan.	Sebastian.
Hanger.	Stafford.
James.	Stone.
Kerr.	Turney.
Lewis.	Wayland.
Linn.	Yantis.
Lloyd.	Yett.

Absent.

Johnson.	Terrell.
Neal.	

The Sergeant-at-Arms was instructed to bring in the absentees.

Senator Lewis moved to adjourn until 3 o'clock p. m.

Lost by the following vote:

Yeas—13.

Atlee.	Odell.
Burns.	Patterson.
Davidson.	Ross.
Kerr.	Sebastian.
Lewis.	Stafford.
Linn.	Turney.
Lloyd.	

Nays—15.

Dibrell.	Miller.
Goss.	Morriss.
Gough.	Potter.
Greer.	Stone.
Grinnan.	Wayland.
Hanger.	Yantis.
James.	Yett.
McGee.	

Absent.

Johnson.	Terrell.
Neal.	

House bill No. 107, going to the table, the Chair laid before the Senate, on third reading.

House bill No. 398, A bill to be entitled "An Act to amend Sections 17, 27, 98 and 116, of an act incorporating the city of Sherman, known as 'An Act to incorporate the city of Sherman, in Grayson county, Texas, and to fix the boundaries thereof, and to provide for its government and the management of its affairs,' passed by the Twenty-fourth Legislature, being Chapter 6, of the Special Acts of the said Legislature, and to add Sections

96a, 116a, 116b, 116c, 116d, 116e, 179a and 179b thereto."

The bill was read a third time, and passed.

Senator Potter moved to reconsider the vote by which the bill passed, and to lay that motion on the table.

Tabled.

RESOLUTION.

By unanimous consent, Senator Miller introduced the following resolution:

Resolved, That the Sergeant-at-Arms be instructed to telegraph absentees to return at once.

Resolution read second time, and adopted.

Senator Miller moved to excuse absentees on the Dallas city charter bill.

Lost by the following vote:

Yeas—18.

Burns.	Miller.
Dibrell.	Morriss.
Goss.	Potter.
Gough.	Sebastian.
Greer.	Stone.
Grinnan.	Turney.
Hanger.	Wayland.
James.	Yantis.
McGee.	Yett.

Nays—10.

Atlee.	Lloyd.
Davidson.	Odell.
Kerr.	Patterson.
Lewis.	Ross.
Linn.	Stafford.

Absent.

Johnson.	Terrell.
Neal.	

Senator Greer moved that the Senate "go at ease" until 2:30 p. m.

Senator Burns moved as a substitute that the Senate take recess until 3:20 p. m., not suspending the call.

Lost by the following vote:

Yeas—13.

Atlee.	Lloyd.
Burns.	Odell.
Davidson.	Patterson.
Goss.	Ross.
Kerr.	Stafford.
Lewis.	Turney.
Linn.	

Nays—15.

Dibrell.	Morriss.
Gough.	Potter.
Greer.	Sebastian.
Grinnan.	Stone.
Hanger.	Wayland.
James.	Yantis.
McGee.	Yett.
Miller.	

Absent.

Johnson.	Terrell.
Neal.	

Question recurring on the motion of Senator Greer, Senator Davidson moved as a substitute that the Senate take a recess until 3:30 p. m., Senators to consider themselves paroled on their honor, and the status of the call not to be affected thereby.

Senator McGee made point of order that no motion to take a recess was in order while the Senate was under call.

Sustained.

Senator Davidson moved to adjourn until 3:30 p. m., and that the call be not suspended.

Lost by the following vote:

Yeas—12.

Atlee.	Lloyd.
Burns.	Odell.
Davidson.	Patterson.
Kerr.	Ross.
Lewis.	Stafford.
Linn.	Turney.

Nays—16.

Dibrell.	Miller.
Goss.	Morriss.
Gough.	Potter.
Greer.	Sebastian.
Grinnan.	Stone.
Hanger.	Wayland.
James.	Yantis.
McGee.	Yett.

Absent.

Johnson.	Terrell.
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Senator Yantis moved to excuse the absentees on the Dallas city charter bill.

Lost by the following vote:

Yeas—17.

Dibrell.	Morriss.
Goss.	Potter.
Gough.	Sebastian.
Greer.	Stone.
Grinnan.	Turney.
Hanger.	Wayland.
James.	Yantis.
McGee.	Yett.
Miller.	

Nays—10.

Atlee.	Lloyd.
Davidson.	Odell.
Kerr.	Patterson.
Lewis.	Ross.
Linn.	Stafford.

Absent.

Johnson.	Terrell.
Neal.	

PENDING BUSINESS.

The Chair laid before the Senate, on third reading,

House bill No. 712, A bill to be entitled "An Act to amend Chapter 5, Title CII, of the Revised Civil Statutes of 1895, so as to place San Patricio county under the provisions of said chapter, relating to the mode of preventing certain animals from running at large in counties and subdivisions."

The bill was read a third time, and passed by the following vote:

Yeas—24.

Atlee.	Lloyd.
Burns.	Miller.
Davidson.	Morriss.
Dibrell.	Odell.
Goss.	Ross.
Gough.	Sebastian.
Greer.	Stafford.
Grinnan.	Stone.
Hanger.	Turney.
James.	Wayland.
Kerr.	Yantis.
Linn.	Yett.

Present—Not voting.

Lewis.	Patterson.
McGee.	Potter.

Absent.

Johnson.	Terrell.
Neal.	

Senator Yantis moved to excuse the absentees on the Dallas charter bill.

Lost by the following vote:

Yeas—17.

Dibrell.	Morriss.
Goss.	Potter.
Gough.	Sebastian.
Greer.	Stone.
Grinnan.	Turney.
Hanger.	Wayland.
James.	Yantis.
McGee.	Yett.
Miller.	

Nays—10.

Atlee.	Lloyd.
Davidson.	Odell.
Kerr.	Patterson.
Lewis.	Ross.
Linn.	Stafford.

Absent.

Johnson.	Terrell.
Neal.	

The Chair laid before the Senate, House bill No. 775, A bill to be entitled "An Act to change and fix the times for holding courts in the Thirty-ninth Judicial District of the State of Texas, and

to repeal all laws or parts of laws in conflict herewith."

The bill was read a third time, and passed.

HOUSE BILL ON SECOND READING.

The Chair laid before the Senate, on second reading,

House bill No. 355, A bill to be entitled "An Act to amend Article 3655, Chapter 1, Title LXXIX, Revised Civil Statutes of the State of Texas, relating to the contracting, hiring or leasing of State convicts by Board of Commissioners of the Penitentiaries to owners, lessees, managers or receivers of coal mines or collieries," with adverse majority and favorable minority reports from the committee.

Pending action, Senator Wayland moved that the bill be referred to the Committee on Penitentiaries.

(Senator McGee in the chair.)

The motion of Senator Wayland to refer prevailed by the following vote:

Yeas—16.

Atlee.	Odell.
Gough.	Potter.
Grinnan.	Ross.
James.	Sebastian.
Lewis.	Stone.
Lloyd.	Wayland.
McGee.	Yantis.
Miller.	Yett.

Nays—8.

Davidson.	Linn.
Greer.	Patterson.
Hanger.	Stafford.
Kerr.	Turney.

Present—Not voting.

Dibrell.	Morriss.
Goss.	

Absent.

Johnson.	Terrell.
Neal.	

(Lieutenant-Governor Browning in the chair.)

Senator Yantis moved that the absentees be excused on the Dallas charter bill.

Senator Lewis moved to adjourn until 5 o'clock p. m.

The motion to adjourn was lost by the following vote:

Yeas—12.

Atlee.	Lloyd.
Burns.	Odell.
Davidson.	Patterson.
Kerr.	Ross.
Lewis.	Stafford.
Linn.	Turney.

Nays—16.

Dibrell.	Miller.
Goss.	Morriss.
Gough.	Potter.
Greer.	Sebastian.
Grinnan.	Stone.
Hanger.	Wayland.
James.	Yantis.
McGee.	Yett.

Absent.

Johnson.	Terrell.
Neal.	

The motion to excuse the absentees was lost by the following vote:

Yeas—17.

Burns.	Miller.
Dibrell.	Potter.
Goss.	Sebastian.
Gough.	Stone.
Greer.	Turney.
Grinnan.	Wayland.
Hanger.	Yantis.
James.	Yett.
McGee.	

Nays—9.

Atlee.	Odell.
Davidson.	Patterson.
Kerr.	Ross.
Lewis.	Stafford.
Linn.	

Present—Not voting.

Lloyd.	Morriss.
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Absent.

Johnson.	Terrell.
Neal.	

The Chair laid before the Senate, on second reading,

Substitute House bill Nos. 160, 501, 574, A bill to be entitled "An Act to carry into effect the amendment to the Constitution of the State of Texas, providing that aid may be granted to disabled and dependent Confederate soldiers, sailors, and their widows, under certain conditions, and to make an appropriation therefor."

Pending action,

On motion of Senator Lewis, at 2:30 o'clock, the Senate suspended business for thirty minutes.

The Senate was called to order by Lieutenant-Governor Browning at 3 o'clock.

Senator Miller moved to excuse the absentees on the Dallas charter bill.

Lost by the following vote:

Yeas—14.

Dibrell.	Grinnan.
Goss.	Hanger.
Gough.	James.
Greer.	McGee.

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Miller.	Sebastian.
Morriss.	Wayland.
Potter.	Yantis.

Nays—11.

Atlee.	Odell.
Davidson.	Patterson.
Kerr.	Ross.
Lewis.	Stafford.
Linn.	Turney.
Lloyd.	

Present—Not voting.

Burns.	Yett.
Stone.	

Absent.

Johnson.	Terrell.
Neal.	

Action recurring on Substitute House bill Nos. 160, 501, 574, the same was read a second time, with committee amendments.

Pending action,

On motion of Senator Davidson further consideration of the bill was postponed until next Wednesday, April 26th.

On motion of Senator Dibrell the regular order of business was suspended to take up, on second reading.

House bill No. 785, A bill to be entitled "An Act to require peddlers of clocks, agricultural implements, cooking stoves or ranges, wagons, buggies, carriages, surreys and other similar vehicles, washing machines and churns, and peddlers of all other merchandise of every description, to pay an annual occupation tax."

The bill was read a second time, together with the committee amendment, to wit:

"Amend the bill by striking out all after the word 'exclusively,' on page 1, in line 32, down to and including the word 'exclusively,' on page 2, in line 3."

The amendment was adopted.

By Senator Miller:

"Amend House bill No. 785, by adding after Section 2, the words: 'Provided, the provisions of this section shall not apply to goods manufactured in this State.'"

Lost by the following vote:

Yeas—4.

Burns.	McGee.
Kerr.	Miller.

Nays—19.

Atlee.	Patterson.
Dibrell.	Potter.
Gough.	Ross.
Greer.	Sebastian.
Grinnan.	Stone.
Hanger.	Turney.
James.	Wayland.
Lloyd.	Yantis.
Morriss.	Yett.
Odell.	

Present—Not voting.

Goss. Linn.
Lewis. Stafford.

Absent.

Johnson. Terrell.
Neal.

The bill was passed to a third reading.
On motion of Senator Dibrell, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—26.

Atlee. Miller.
Burns. Morriss.
Davidson. Odell.
Dibrell. Patterson.
Gough. Potter.
Greer. Ross.
Grinnan. Sebastian.
Hanger. Stafford.
James. Stone.
Kerr. Turney.
Lewis. Wayland.
Linn. Yantis.
Lloyd. Yett.

Nays—1.

McGee.

Present—Not voting.

Goss.

Absent.

Johnson. Terrell.
Neal.

The bill was read a third time, and passed by the following vote:

Yeas—25.

Atlee. Morriss.
Davidson. Odell.
Dibrell. Patterson.
Gough. Potter.
Greer. Ross.
Grinnan. Sebastian.
Hanger. Stafford.
James. Stone.
Kerr. Turney.
Lewis. Wayland.
Linn. Yantis.
Lloyd. Yett.
Miller.

Nays—2.

Burns. McGee.

Present—Not voting.

Goss.

Absent.

Johnson. Terrell.
Neal.

Senator Patterson moved to reconsider the vote by which the bill passed, and to lay that motion on the table.
Tabled.

Senator Potter moved to excuse the absentees on the Dallas city charter bill.

Lost by the following vote (requiring a two-thirds vote):

Yeas—16.

Burns. Miller.
Dibrell. Morriss.
Gough. Potter.
Greer. Sebastian.
Grinnan. Stone.
Hanger. Wayland.
James. Yantis.
McGee. Yett.

Nays—11.

Atlee. Odell.
Davidson. Patterson.
Kerr. Ross.
Lewis. Stafford.
Linn. Turney.
Lloyd.

Absent.

Johnson. Terrell.
Neal.

Senator Gough moved to excuse the absentees on House bill No. 107 (Humane treatment to animals bill).

Lost by the following vote (requiring a two-thirds vote):

Yeas—14.

Atlee. Miller.
Burns. Morriss.
Dibrell. Sebastian.
Gough. Stone.
Grinnan. Wayland.
James. Yantis.
McGee. Yett.

Nays—10.

Davidson. Lloyd,
Greer. Odell.
Hanger. Patterson.
Kerr. Ross.
Lewis. Turney.

Present—Not voting.

Goss. Potter.

Absent.

Johnson. Terrell.
Neal.

The Chair laid before the Senate, on second reading,

House bill No. 679, A bill to be entitled "An Act to amend Chapter 65, of the Acts of the Twenty-fifth Legislature, being 'An Act to create a more efficient road system for Montague, Red River and Wichita counties, in the State of Texas,' etc."

Bill read second time, and failed on passage to a third reading.

Senator Yantis moved to excuse the absentees on the Dallas city charter bill.

Lost by the following vote (requiring a two-thirds vote):

Yeas—17.

Burns.	Morriss.
Dibrell.	Potter.
Gough.	Sebastian.
Greer.	Stone.
Grinnan.	Turney.
Hanger.	Wayland.
James.	Yantis.
McGee.	Yett.
Miller.	

Nays—10.

Atlee.	Lloyd.
Davidson.	Odell.
Kerr.	Patterson.
Lewis.	Ross.
Linn.	Stafford.

Present—Not voting.

Goss.

Absent.

Johnson.	Terrell.
Neal.	

Senator Potter entered a motion to reconsider the vote by which House bill No. 679 (see above) failed on passage to a third reading.

RESOLUTION.

By unanimous consent, the following resolution was offered:

By Senator Morriss:

Be it resolved, that a Special Committee of three Senators be appointed by the President of the Senate to investigate the source from which the telegrams sent to the Legislature on the subject of the anti-trust bill pending before the Senate, and who, in Austin, paid for the numerous telegrams sent collect over the Western Union Telegraph Company's wires to members of the Legislature on said subject. That said committee be authorized to summon witnesses, and examine them under oath.

The resolution was read.

Senator Gough offered the following amendment:

"Amend by striking out the words 'in Austin.'"

Adopted.

The resolution as amended was lost by the following vote:

Yeas—8.

Davidson.	Miller.
Gough.	Morriss.
Lloyd.	Stafford.
McGee.	Yett.

Nays—19.

Atlee.	Greer.
Burns.	Grinnan.
Dibrell.	Hanger.

James.	Ross.
Kerr.	Sebastian.
Lewis.	Stone.
Linn.	Turney.
Odell.	Wayland.
Patterson.	Yantis.
Potter.	

Present—Not voting.

Goss.

Absent.

Johnson.	Terrell.
Neal.	

"I vote 'no' for the reason, among others, that it is generally conceded the insurance companies paid for the messages in question, or a majority of them, therefore, in my opinion, it would be a useless expense and unnecessary consumption of time to make such an inquiry.

"ODELL."

Senator Miller moved to excuse the absentees on House bill No. 342 (Dallas city charter bill).

Senator Linn moved to adjourn until 10 a. m. tomorrow.

Lost by the following vote:

Yeas—11.

Atlee.	Odell.
Davidson.	Patterson.
Kerr.	Ross.
Lewis.	Stafford.
Linn.	Turney.
Lloyd.	

Nays—17.

Burns.	Miller.
Dibrell.	Morriss.
Goss.	Potter.
Gough.	Sebastian.
Greer.	Stone.
Grinnan.	Wayland.
Hanger.	Yantis.
James.	Yett.
McGee.	

Absent.

Johnson.	Terrell.
Neal.	

The motion to excuse the absentees then failed by the following vote (requiring a two-thirds vote):

Yeas—16.

Burns.	Miller.
Goss.	Morriss.
Gough.	Potter.
Greer.	Sebastian.
Grinnan.	Stone.
Hanger.	Wayland.
James.	Yantis.
McGee.	Yett.

Nays—11.

Atlee.	Odell.
Davidson.	Patterson.
Kerr.	Ross.
Lewis.	Stafford.
Linn.	Turney.
Lloyd.	

Present—Not voting.

Dibrell.

Absent.

Johnson.	Terrell.
Neal.	

Senator Gough moved to excuse the absentees on House bill No. 107 (Humane treatment to animals bill).

Lost by the following vote (requiring a two-thirds vote):

Yeas—18.

Atlee.	McGee.
Burns.	Miller.
Dibrell.	Morriss.
Goss.	Potter.
Gough.	Sebastian.
Grinnan.	Stafford.
James.	Stone.
Kerr.	Wayland.
Lloyd.	Yett.

Nays—10.

Davidson.	Odell.
Greer.	Patterson.
Hanger.	Ross.
Lewis.	Turney.
Linn.	Yantis.

Absent.

Johnson.	Terrell.
Neal.	

Senator Hanger called up Senator Potter's motion to reconsider the vote by which House bill No. 679 (see caption above) failed on passage to a third reading.

The motion to reconsider prevailed.

The bill was then passed to a third reading.

On motion of Senator Potter, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—26.

Atlee.	Linn.
Burns.	Lloyd.
Dibrell.	Miller.
Goss.	Morriss.
Gough.	Odell.
Greer.	Patterson.
Grinnan.	Potter.
Hanger.	Ross.
James.	Sebastian.
Kerr.	Stafford.
Lewis.	Stone.

Turney.	Yantis.
Wayland.	Yett.

Present—Not voting.

Davidson.

Absent.

Johnson.	Terrell.
Neal.	

The bill was read a third time, and On motion of Senator James was laid on the table subject to call.

The Chair then laid before the Senate, on second reading,

House bill No. 740, A bill to be entitled "An Act to amend Sections 2 and 5, of an act passed by the Twenty-sixth Legislature of the State of Texas, approved March 6, 1899, and entitled 'An Act to restore and confer upon the County Court of Bexar county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and general laws of the State, and to conform the jurisdiction of the district court of said county to such change, and to repeal all laws in conflict with this act, and declaring an emergency.'"

The bill was read a second time, and passed to a third reading.

On motion of Senator Lewis, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—25.

Atlee.	Miller.
Burns.	Morriss.
Dibrell.	Odell.
Goss.	Patterson.
Gough.	Ross.
Greer.	Sebastian.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Turney.
Kerr.	Wayland.
Lewis.	Yantis.
Lloyd.	Yett.
McGee.	

Present—Not voting.

Davidson.	Potter.
Linn.	

Absent.

Johnson.	Terrell.
Neal.	

The bill was read a third time, and passed by the following vote:

Yeas—27.

Atlee.	Greer.
Burns.	Grinnan.
Davidson.	Hanger.
Dibrell.	James.
Goss.	Kerr.
Gough.	Lewis.

Lloyd.	Sebastian.
McGee.	Stafford.
Miller.	Stone.
Morriss.	Turney.
Odell.	Wayland.
Patterson.	Yantis.
Potter.	Yett.
Ross.	

Present—Not voting.

Linn.

Absent.

Johnson.
Neal.

Terrell.

Senator Yantis moved to excuse the absentees on House bill No. 342 (Dallas city charter bill).

Lost by the following vote (requiring a two-thirds vote) :

Yeas—17.

Burns.	Miller.
Dibrell.	Morriss.
Goss.	Potter.
Gough.	Sebastian.
Greer.	Stone.
Grinnan.	Wayland.
Hanger.	Yantis.
James.	Yett.
McGee.	

Nays—11.

Atlee.	Odell.
Davidson.	Patterson.
Kerr.	Ross.
Lewis.	Stafford.
Linn.	Turney.
Lloyd.	

Absent.

Johnson.
Neal.

Terrell.

Senator Gough moved to excuse the absentees on House bill No. 107 (Humane treatment to animals bill).

Senator Kerr moved to adjourn until Monday next, 10 a. m.

Lost by the following vote:

Yeas—11.

Atlee.	Odell.
Davidson.	Patterson.
Kerr.	Ross.
Lewis.	Stafford.
Linn.	Turney.
Lloyd.	

Nays—17.

Burns.	Miller.
Dibrell.	Morriss.
Goss.	Potter.
Gough.	Sebastian.
Greer.	Stone.
Grinnan.	Wayland.
Hanger.	Yantis.
James.	Yett.
McGee.	

Absent.

Johnson.
Neal.

Terrell.

The Senate then refused to excuse the absentees on House bill No. 107 by the following vote:

Yeas—18.

Atlee.	McGee.
Burns.	Miller.
Dibrell.	Morriss.
Goss.	Potter.
Gough.	Sebastian.
Grinnan.	Stafford.
James.	Stone.
Kerr.	Wayland.
Lloyd.	Yett.

Nays—10.

Davidson.	Odell.
Greer.	Patterson.
Hanger.	Ross.
Lewis.	Turney.
Linn.	Yantis.

Absent.

Johnson.
Neal.

Terrell.

(Lieutenant-Governor Browning in the chair.)

The Chair laid before the Senate, on second reading.

House bill No. 742. A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the County Court of Coke county, and to conform the jurisdiction of the district court of said county to such change."

The bill was read a second time, and passed to a third reading.

Senator Lloyd called up Senator Yantis' motion (see Journal of April 15th) to reconsider the votes by which

Senate bill No. 220, A bill to be entitled "An Act to punish any person who shall knowingly purchase for another or sell any spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication," was ordered engrossed and finally passed.

The motion to reconsider the vote by which the bill finally passed prevailed.

The motion to reconsider the vote by which the bill was ordered engrossed then prevailed.

Pending further action.

At 4:40 p. m., on motion of Senator Lewis, the Senate was at ease for the period of fifteen minutes.

At the expiration of the fifteen minutes recess.

On motion of Senator Miller, the same was extended for ten minutes, and at the expiration thereof, the same was further extended for five minutes, on motion of Senator Miller.

BILL NO. 332.

By unanimous consent, Senator Yantis introduced the following bill:

Senate bill No. 332, A bill to be entitled "An Act to provide for the organization of corporations for the purpose of the storage and transportation of oil and gas; to provide the manner and method of organizing such corporations; to prescribe the rights, powers, privileges and duties of such corporations; to authorize such corporations to construct, operate and maintain pipe lines, tanks, buildings, machinery, apparatus and devices as may be necessary; to own, use and occupy lands, buildings, easements and structures; to empower such corporations to condemn lands and other property for the uses and purposes of such corporations, and to provide the method therefor; issue stocks and bonds, and to borrow money and mortgage its franchises and property."

Read first time, and referred to the Committee on Internal Improvements.

Action recurring on Senate bill No. 220 (see caption above), the question was on the adoption of the committee substitute (see Journal of March 28th).

The committee substitute was adopted, and the bill as substituted ordered engrossed.

On motion of Senator Lloyd, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—23.

Atlee.	Lloyd.
Burns.	Miller.
Davidson.	Morriss.
Dibrell.	Potter.
Goss.	Ross.
Gough.	Sebastian.
Greer.	Stafford.
Grinnan.	Stone.
James.	Turney.
Kerr.	Wayland.
Lewis.	Yantis.
Linn.	

Nays—2.

Hanger.	Patterson.
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Present—Not voting.

McGee.	Yett.
Odell.	

Absent.

Johnson.	Terrell.
Neal.	

The bill was read a third time, and passed by the following vote:

Yeas—26.

Atlee.	Dibrell.
Davidson.	Goss.

Gough.
Greer.
Grinnan.
Hanger.
James.
Kerr.
Lewis.
Linn.
Lloyd.
McGee.
Miller.

Morriss.
Odell.
Potter.
Ross.
Sebastian.
Stafford.
Stone.
Turney.
Wayland.
Yantis.
Yett.

Present—Not voting.

Patterson.	Burns.
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Absent.

Johnson.	Terrell.
Neal.	

Senator Lloyd moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

Senator Grinnan called up from the table, on second reading,

Senate bill No. 313, A bill to be entitled "An Act extending for twenty years the payment of the principal of the purchase money for lands purchased under the act of the Legislature herein named," action being on engrossment.

Pending action,

Senator Yantis moved to excuse the absentees on House bill No. 342 (Dallas city charter bill).

Lost by the following vote (requiring a two-thirds vote):

Yeas—17.

Burns.	Miller.
Dibrell.	Morriss.
Goss.	Potter.
Gough.	Sebastian.
Greer.	Stone.
Grinnan.	Wayland.
Hanger.	Yantis.
James.	Yett.
McGee.	

Nays—11.

Atlee.	Odell.
Davidson.	Patterson.
Kerr.	Ross.
Lewis.	Stafford.
Linn.	Turney.
Lloyd.	

Absent.

Johnson.	Terrell.
Neal.	

Senator Gough then moved to excuse the absentees on House bill No. 107 (Humane treatment to animals bill).

Lost by the following vote (requiring a two-thirds vote):

Yeas—16.

Atlee.	Dibrell.
Burns.	Goss.

Gough.	Morriss.
James.	Sebastian.
Kerr.	Stafford.
Lloyd.	Stone.
McGee.	Yantis.
Miller.	Yett.

Nays—12.

Davidson.	Odell.
Greer.	Patterson.
Grinnan.	Potter.
Hanger.	Ross.
Lewis.	Turney.
Linn.	Wayland.

Absent.

Johnson.	Terrell.
Neal.	

Senator Greer then moved to excuse the absentees on House bill No. 342 (Dallas city charter bill).

Lost by the following vote (requiring a two-thirds vote):

Yeas—16.

Burns.	Miller.
Dibrell.	Morriss.
Goss.	Potter.
Gough.	Sebastian.
Greer.	Stone.
Hanger.	Wayland.
James.	Yantis.
McGee.	Yett.

Nays—12.

Atlee.	Lloyd.
Davidson.	Odell.
Grinnan.	Patterson.
Kerr.	Ross.
Lewis.	Stafford.
Linn.	Turney.

Absent.

Neal.	Terrell.
Johnson.	

Action recurring to Senate bill No. 220 (see caption above), the same was ordered engrossed.

On motion of Senator Grinnan, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—20.

Atlee.	Miller.
Burns.	Morriss.
Dibrell.	Odell.
Gough.	Potter.
Grinnan.	Sebastian.
Hanger.	Stafford.
James.	Stone.
Kerr.	Turney.
Lewis.	Wayland.
Linn.	Yett.

Nays—4.

Davidson.	Patterson.
Lloyd.	Ross.

Present—Not voting.

Goss.	McGee.
Greer.	Yantis.

Absent.

Johnson.	Terrell.
Neal.	

The bill was read a third time, and passed by the following vote:

Yeas—24.

Atlee.	McGee.
Burns.	Miller.
Davidson.	Morriss.
Dibrell.	Odell.
Goss.	Patterson.
Gough.	Potter.
Grinnan.	Sebastian.
Hanger.	Stafford.
James.	Stone.
Kerr.	Turney.
Lewis.	Wayland.
Linn.	Yett.

Nays—1.

Lloyd.

Present—Not voting.

Greer.	Yantis.
Ross.	

Absent.

Johnson.	Terrell.
Neal.	

BILL NO. 333.

By unanimous consent, the following bill was introduced:

By Senator Gough:

Senate bill No. 333, A bill to be entitled "An Act to authorize the Missouri, Kansas & Texas Railway Company of Texas to acquire by lease or purchase the railroad of the Sherman, Shreveport & Southern Railroad Company, extending from the city of McKinney, in Collin county, to the city of Jefferson, in Marion county, and any extension thereof from said city of Jefferson to the eastern line of Texas in the direction of Shreveport, Louisiana, together with the property and franchises pertaining thereto, and to own, operate and maintain the same as a part of its line, with the right to extend the same and construct branches therefrom by amendment of its charter under the general laws of Texas, and vesting said companies, and each of them, with the power to make and execute all necessary contracts, agreements and conveyances to effect such sale or lease; also to authorize the said Sherman, Shreveport & Southern Railroad Com-

pany, before such sale or lease, or the said The Missouri, Kansas & Texas Railway Company of Texas, after such sale or lease, when the said railway so to be purchased or leased has been extended from the city of Jefferson to the eastern line of the State of Texas in the direction of Shreveport, Louisiana, to connect with any railway extending to said city of Shreveport, and to acquire from the owner or owners of such railway in the State of Louisiana by lease, trackage or running rights agreement the use of such line to the said city of Shreveport; and further, to authorize the said Sherman, Shreveport & Southern Railroad Company, before such sale, or the said The Missouri, Kansas & Texas Railway Company of Texas, after such sale or lease, to acquire necessary terminal facilities in the said city of Shreveport."

Read first time, and referred to the Committee on Internal Improvements.

On motion of Senator Patterson, the regular order of business was suspended to take up, on second reading,

Senate bill No. 318, A bill to be entitled "An Act to empower companies and corporations chartered, or that may hereafter be chartered by the laws of this State for the purpose of owning, constructing or operating sewer systems, to condemn private property for the purpose of laying pipes, mains, laterals, connections, vats, filtering pipes and for use of private property, as a base of ultimate disposition of sewage."

The bill was read a second time, and ordered engrossed.

On motion of Senator Patterson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—26.

Atlee.	Miller.
Burns.	Morriss.
Davidson.	Odell.
Dibrell.	Patterson.
Gough.	Potter.
Greer.	Ross.
Grinnan.	Sebastian.
Hanger.	Stafford.
James.	Stone.
Kerr.	Turney.
Lewis.	Wayland.
Linn.	Yantis.
Lloyd.	Yett.

Present—Not voting.

Goss.	McGee.
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Absent.

Johnson.	Terrell.
Neal.	

The bill was read a third time, and passed by the following vote:

Yeas—26.

Atlee.	Miller.
Burns.	Morriss.
Davidson.	Odell.
Dibrell.	Patterson.
Goss.	Potter.
Grinnan.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Kerr.	Stone.
Lewis.	Turney.
Linn.	Wayland.
Lloyd.	Yantis.
McGee.	Yett.

Present—Not voting.

Gough.	Greer.
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Absent.

Johnson.	Terrell.
Neal.	

Senator Miller moved to suspend the regular order of business to take up, on second reading,

Senate bill No. 320, A bill to be entitled "An Act requiring the county commissioners court of any county, or city council of any incorporated city or town in the State, to submit propositions for the issuance of bonds to a vote of the qualified tax-payers of such county, or incorporated city or town, and to repeal the provisions of all city and town charters in conflict herewith."

Pending action, Senator Potter moved to excuse the absentees on House bill No. 342 (Dallas city charter bill).

Lost by the following vote (requiring a two-thirds vote):

Yeas—17.

Burns.	Miller.
Dibrell.	Morriss.
Goss.	Potter.
Gough.	Sebastian.
Greer.	Stone.
Grinnan.	Wayland.
Hanger.	Yantis.
James.	Yett.
McGee.	

Nays—11.

Atlee.	Odell.
Davidson.	Patterson.
Kerr.	Ross.
Lewis.	Stafford.
Linn.	Turney.
Lloyd.	

Absent.

Johnson.	Terrell.
Neal.	

The Senate then suspended the regular order of business and took up Senate bill No. 320 (see above).

The bill was read a second time, and ordered engrossed.

On motion of Senator Miller, the vote by which the bill was ordered engrossed was reconsidered.

Pending further action,

On motion of Senator Linn, the pending business was suspended to take up, on second reading,

Senate bill No. 238, A bill to be entitled "An Act to amend Chapter 4, Title XVIII, of the Revised Civil Statutes of the State of Texas of 1895, by adding after Article 418, Article 418a, empowering cities and towns incorporated under the general law and by special charter to condemn private property for use in laying water pipes and mains, establishment of public wells, pumps and pumping stations and reservoirs, providing a method for such condemnation, and declaring an emergency."

The bill was read a second time.

By Senator Linn:

"Amend by adding after the word 'property,' line 25, page 1, the following, 'situated either within or beyond the corporate limits of such city or town, but within the county wherein such city or town is located.'"

Adopted.

By Senator Linn:

"Amend after the word 'days,' line 18, page 2, the following, 'and the same is hereby suspended, and this act shall take effect from and after its passage.'"

Adopted.

The bill as amended was ordered engrossed.

HOUSE MESSAGE.

The following message from the House was received:

Hall of the House of Representatives,
Austin, Texas, April 20, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bill:

Senate bill No. 260, A bill to be entitled "An Act to provide for the establishment, maintenance and government of a State normal school, to be located at San Marcos, in Hays county, Texas, and to be known as the Southwest Texas Normal School," with amendment.

Respectfully,

LEE J. ROUNTREE,
Chief Clerk House of Representatives.

Senator Dibrell called up Senate bill No. 260, which had passed the House with an amendment (see message above), and moved that the Senate concur in said amendment.

Concurred.

Resuming consideration of Senate bill No. 238,

On motion of Senator Linn, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—24.

Atlee.	Miller.
Davidson.	Morriss.
Dibrell.	Odell.
Goss.	Patterson.
Gough.	Potter.
Greer.	Ross.
Grinnan.	Sebastian.
Hanger.	Stafford.
James.	Stone.
Kerr.	Turney.
Linn.	Wayland.
McGee.	Yantis.

Nays—1.

Yett.

Present—Not voting.

Burns.

Lloyd.

Lewis.

Absent.

Johnson.

Terrell.

Neal.

The bill was read a third time, and passed by the following vote:

Yeas—21.

Atlee.	Miller.
Davidson.	Morriss.
Dibrell.	Odell.
Goss.	Patterson.
Gough.	Potter.
Grinnan.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Kerr.	Wayland.
Lewis.	Yantis.
Linn.	

Present—Not voting.

Burns.

Stone.

Greer.

Turney.

Lloyd.

Yett.

McGee.

Absent.

Johnson.

Terrell.

Neal.

BILL NO. 334.

By unanimous consent, the following bill was introduced:

By Senator Hanger:

Senate bill No. 334, A bill to be entitled

"An Act to authorize the St. Louis Southwestern Railway Company of Texas to purchase, own and operate a railway extending from a point in or near the town of Tyler, in Smith county, to a point in or near the town of Lufkin, in Angelina county, with its franchises and appurtenances, known as the Tyler Southeastern Railway, and to authorize the Tyler Southeastern Railway Company, and the owners thereof, to sell the same, and to authorize the St. Louis Southwestern Railway Company of Texas to assume the payment of the indebtedness of the Tyler Southeastern Railway Company, and to own and operate the property so purchased."

Read first time, and referred to the Committee on Internal Improvements.

HOUSE MESSAGE.

The following message from the House was received:

Hall of the House of Representatives,
Austin, Texas, April 20, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bill:

Substitute Senate bill No. 119, A bill to be entitled "An Act to amend Article 4368, Chapter 3, Title XCIV, of the Revised Civil Statutes of the State of Texas, prescribing the duties of railway companies with respect to their general and public offices and the residence of their officers to be kept and maintained in this State," with amendment.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

Senator Odell called up Senate bill No. 119, which had passed the House with an amendment (see message above), and moved that the Senate concur in said amendment:

The amendment was read, to wit:

"Amend page 1, line 27, by striking out the words 'Revised Statutes' and substituting in lieu thereof 'of the Revised Civil Statutes of the State of Texas.'"

Adopted (concurred in) by the following vote:

Yeas—25.

Atlee.	James.
Burns.	Kerr.
Davidson.	Linn.
Dibrell.	Lloyd.
Goss.	Miller.
Gough.	Morriss.
Greer.	Odell.
Hanger.	Patterson.

Potter.	Turney.
Ross.	Wayland.
Sebastian.	Yantis.
Stafford.	Yett.
Stone.	

Nays—1.

Grinnan.

Present—Not voting.

Lewis. McGee.

Absent.

Johnson. Terrell.

Neal.

Senator Yantis moved to excuse the absentees on House bill No. 342 (Dallas city charter bill).

Lost by the following vote (requiring a two-thirds vote):

Yeas—17.

Burns.	Miller.
Dibrell.	Morriss.
Goss.	Potter.
Gough.	Sebastian.
Greer.	Stone.
Grinnan.	Wayland.
Hanger.	Yantis.
James.	Yett.
McGee.	

Nays—11.

Atlee.	Odell.
Davidson.	Patterson.
Kerr.	Ross.
Lewis.	Stafford.
Linn.	Turney.
Lloyd.	

Absent.

Johnson. Terrell.

Neal.

Action recurring to pending business (Senate bill No. 320, see above), Senator Miller offered the following amendment:

"Amend by adding Section 7 to the bill as follows:

"Section 7. The near approach of the close of the present session of the Legislature, and the large number of bills now on the calendars of each house, and the importance of submitting propositions for the issuance of bonds to a vote of the tax-payers, creates an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect from and after its passage, and it is so enacted."

Adopted.

The bill as amended was ordered engrossed.

On motion of Senator Miller, the constitutional rule requiring bills to be read on three several days was suspended, and

the bill placed upon its third reading and final passage by the following vote:

Yeas—25.

Atlee.	Lloyd.
Burns.	Miller.
Davidson.	Morriss.
Dibrell.	Odell.
Goss.	Patterson.
Gough.	Potter.
Greer.	Ross.
Grinnan.	Sebastian.
Hanger.	Stafford.
James.	Stone.
Kerr.	Wayland.
Lewis.	Yantis.
Linn.	

Present—Not voting.

McGee.	Yett.
Turney.	

Absent.

Johnson.	Terrell.
Neal.	

The bill was read a third time, and passed by the following vote:

Yeas—22.

Atlee.	Morriss.
Burns.	Odell.
Goss.	Patterson.
Gough.	Potter.
Grinnan.	Ross.
James.	Sebastian.
Kerr.	Stafford.
Lewis.	Stone.
Linn.	Wayland.
Lloyd.	Yantis.
Miller.	Yett.

Present—Not voting.

Davidson.	Hanger.
Dibrell.	McGee.
Greer.	Turney.

Absent.

Johnson.	Terrell.
Neal.	

COMMITTEE REPORT.

By unanimous consent, the following committee report was sent up:

Committee Room,
Austin, Texas, April 20, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Internal Im-

Affairs, to whom was referred Senate bill No. 333, A bill to be entitled "An Act authorizing the Missouri, Kansas & Texas Railway Company of Texas to acquire by purchase or lease the railroad of the Sherman, Shreveport & Southern Railroad Company, extending from the city of McKinney, in Collin

county, to the city of Jefferson, in Marion county, and any extension thereof from said city of Jefferson to the eastern line of Texas, in the direction of Shreveport, Louisiana, together with the property and franchises pertaining thereto, and to own, operate and maintain the same as a part of its line, with the right to extend the same and construct branches therefrom by amendment to its charter, under the general laws of the State of Texas, and investing said companies, and each of them, with the power to make and extend all necessary contracts, agreements and conveyances to effect such sale or lease; also to authorize the said The Sherman, Shreveport & Southern Railroad Company, before such sale or lease, or the said The Missouri, Kansas & Texas Railway Company of Texas, after such sale or lease, when the said railway so to be purchased or leased, has been extended from the city of Jefferson to the eastern line of the State of Texas in the direction of Shreveport, Louisiana, to connect with any railway extending to said city of Shreveport, and to acquire from the owner or owners of such line of railway in the State of Louisiana, by lease, trackage or running rights agreement, the use of such line to the said city of Shreveport; and further, to authorize the said The Sherman, Shreveport & Southern Railroad Company, before such sale or lease, or the said The Missouri, Kansas & Texas Railway Company of Texas, after such sale or lease, to acquire necessary terminal facilities in the said city of Shreveport,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

STAFFORD, Chairman.

On motion of Senator Dibrell, a recess period of five minutes was taken.

AFTER RECESS.

On motion of Senator Greer, the Senate adjourned until 10 a. m. Monday next.

SEVENTY-SECOND DAY.

Senate Chamber.

Austin, Texas, Monday, April 24, 1899.

Senate met pursuant to adjournment. Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Davidson.
Burns.	Dibrell.